

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MICROBRIGHTFIELD, INC.,  
Plaintiff,  
v.  
ROBERT BOEHRINGER,  
Defendants.

Case No.: 06-MC-80061 JF PVT

**ORDER DENYING MOTION TO  
QUASH AS MOOT**

**(Re: Docket No. 1)**

On March 27, 2006, Defendant Robert Boehringer filed a Motion to Quash Subpoena issued to Yahoo! Inc.<sup>1</sup> Defendant provided to the Court a copy of a letter dated July 14, 2006 to the Custodian of Records for Yahoo! Inc. The letter authorized Yahoo! Inc. to release e-mail information directly to the Honorable J. Garvan Murtha, United States District Judge in the District of Vermont.<sup>2</sup> In the same letter, Defendant also informed this Court that the hearing on the motion to quash would not be necessary. The Court has received no further word from any of the parties. Accordingly, it appears that the matter has been resolved.

IT IS HEREBY ORDERED that Defendant's motion to Quash is Denied as Moot without

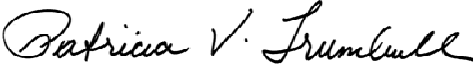
<sup>1</sup> The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

<sup>2</sup> This miscellaneous action relates to case number 1:05-cv-244 pending in the District of Vermont.

1 prejudice to Defendant's right to renew the motion if necessary.

2 IT IS SO ORDERED.

3 Dated: 9/8/06

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5 PATRICIA V. TRUMBULL  
6 United States Magistrate Judge  
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